

SHARPE HOLDINGS, INC., et al., )  
)  
Plaintiffs, )  
)  
v. ) No. 2:12 CV 92 DDN  
)  
UNITED STATES DEPARTMENT OF )  
HEALTH AND HUMAN SERVICES, )  
et al., )  
)  
Defendants. )

Defendants, their agents, officers, employees, and successors in office are **PERMANENTLY ENJOINED** and prohibited from applying and enforcing against any of the named plaintiffs, individual or corporate, their employee health plan(s), or their health insurance insurer(s) or third-party administrators in connection with their health plan the statute and regulations that require plaintiffs, health plans, or insurers to provide plaintiffs' employees insurance coverage for all Food and Drug Administration-approved

contraceptive methods, sterilization procedures, and patient education and counseling for all women with reproductive capacity, as prescribed by a health care provider, 77 Fed. Reg. 8725 (February 15, 2012), as well as any penalties, fines, assessments, or enforcement actions for non-compliance, including those found in 26 U.S.C. §§ 4980D and 4980H, and 29 U.S.C. § 1132, to the extent these regulations require coverage of services that plaintiffs believe to be abortifacients. Defendants are also **PERMANENTLY ENJOINED** from applying and enforcing against plaintiffs the religious-accommodation “self-certification” provision, 79 Fed. Reg. 51,092, 51,094-95 (August 27, 2014) and associated penalties, fines, assessments, or enforcement actions for non-compliance.

**IT IS FURTHER ORDERED** that this Judgment Order and Injunction does not apply with respect to any changes in any statute or regulation that are enacted or promulgated after this date. Should any future legislation or regulation come into effect providing for-profit entities a religious accommodation to the contraceptive coverage mandate, the government may seek to enforce such legislation or regulation against plaintiffs. Such enforcement shall be effective only from the date of publication of such new rule(s) and shall collect only such penalties, fines, and assessments as follow the date of publication. Nothing herein prevents plaintiffs from filing a new civil action to challenge any such future changes in the law.

**IT IS FURTHER ORDERED** that plaintiffs may recover their costs, expenses, and fees expended for this action.

/S/ David D. Noce  
**UNITED STATES MAGISTRATE JUDGE**

Signed on March 28, 2018.